

APPENDIX D:

Public Comments on the Draft Plan and Responses

The draft South Coastal Harbor Management Plan was presented to the Chatham Board of Selectmen at their regularly scheduled meeting on November 18, 2003.

The draft plan was available for public review and comment beginning Wednesday, November 19, 2003 through January 16, 2004. Copies of the plan were placed on file for public review at the Eldredge Public Library and the Chatham Town Clerk's office. The draft plan was also available through the Town's website, www.town.chatham.ma.us. Copies of the plan were also sent to town, county and state officials for review.

A public presentation of the draft plan was given on Monday, December 8, 2003 at 7 p.m. at the Eldredge Public Library. Public comment was invited at the meeting, and through written comments directed to the attention of Theodore Keon, Director, Coastal Resources Department, Town of Chatham, 549 Main Street, Chatham, MA 02633.

A press release containing information regarding the public comment process and availability of the plan was issued. Copies of the draft plan were sent to federal, state, county and local governmental organizations that have oversight or direct interest in the topical or geographic scope of the plan. Executive summaries of the draft were mailed to residents and business owners who had expressed an interest in receiving material or had registered their contact information at one of the public forums.

The following is a summary of the comments received during the public comment period. The comments were reviewed by the SHMPIC and a brief response is provided for each comment received, noting the disposition of the comment or information.

12/16/03

Dr. Richard B. Perry, Non-voting Taxpayer

COMMENTS: Recommends that the plan mention the proposal to restore the link between Stage Harbor and the Southway by creating a bridge on the Morris Island dike as an option to be explored for the purposes of improving flushing.

RESPONSE: The plan indicates support for implementing nitrogen management strategies that come out of the Comprehensive Wastewater and Nutrient Management Study. The study evaluates a range of solutions aimed at reducing nitrogen loads within the complex, including the restoration of a hydrological connection between Stage Harbor and the Southway.

1/15/04

Elizabeth A. Herland, Project Leader, US Dept. of Interior, Fish & Wildlife Service, Eastern MA, National Wildlife Refuge Complex

COMMENTS:

1. USFWS recognizes changes occurring with South Beach and Monomoy and will be working with NPS to address jurisdictional issues, and will be happy to include Town in those discussions, which should begin in 2004.

RESPONSE: Noted.

2. Comprehensive conservation plan effort for Monomoy NWR will recommend in 2004 and will address habitat and wildlife management issues and public access issues that could arise if land masses connect. The plan will provide opportunities for public involvement

RESPONSE: Noted

3. USFWS welcomes opportunity to work together on oil spill contingency plans for all of Chatham.

RESPONSE: Noted.

4. USFWS supports designation of Southway as No Discharge Area.

RESPONSE: Noted.

5. Supports on-going cooperation with marine mammal protection organizations and seal tour providers to prevent harassment of seals.

RESPONSE: Noted.

6. Table 7 should be amended to show limited parking and pedestrian access at the MNWR. USFWS is looking into federal funding to assess feasibility of alternate transportation system for refuge visitors and would like to work with Town on this.

RESPONSE: Table 9 so amended.

7. Edits for text on page 60: refuge is 7,604 acres; MWA is 3,244 acres, or 97% of landmass.

RESPONSE: Noted and corrected in text.

8. One ferry service is allowed to operate out of headquarters. USFWS issues permits to three companies to take passengers to island but only one picks-up/drops off at HQ

RESPONSE: Noted and clarified in text.

9. USFWS would like to obtain more information on weir fisheries and hydraulic quahog harvesting. The activities appear to be occurring within refuge lands.

RESPONSE: Noted.

10. Refuge is host to 2nd largest Atlantic tern colony on Atlantic seaboard, and three species are protected by Federal Endangered Species Act.

RESPONSE: Information added.

11. Requests correction of proper name of agency, and area designations.

RESPONSE: Noted and corrected.

12/3/03

Nate Weeks, Sterns & Wheler

Notes that use of DNA testing or other method for identifying bacteria sources could be problematic and expensive.

RESPONSE: Noted. The plan seeks to encourage action by the Town to address the issue of bacterial contamination. The exact timing, methodology or technology for so doing requires further evaluation.

12/9/03

Lynne Pleffner, Chairman, Chatham Planning Board

1. Requests suggestions for how to protect provisions within zoning that allow for gear storage.

RESPONSE: The current provisions are adequate and the recommendation aims to support keeping the provision in tact in the event of a challenge or proposed amendment to the bylaws.

2. Suggests using the same methodology as used by Pleasant Bay Alliance for developing dock and pier guidelines.

RESPONSE: The intent of the plan is that a methodology similar to the one used for the Pleasant Bay management plan be used to evaluate the suitability of shoreline areas for additional docks and to develop standards and criteria for docks in any suitable areas.

3. Requests recommendations for Planning Board review of projects to strengthen protection of wetlands and eelgrass.

RESPONSE: Wetland and eelgrass protection is primarily a function of the Conservation Commission.

4. Requests definition and review criteria for the definition of water dependent uses within the zoning bylaw.

RESPONSE: The plan does not recommend a specific definition but rather recommends that this be an issue that is examined through the comprehensive zoning bylaw re-write process.

5. Requests clarification on Planning Board role in implementation of plan.

RESPONSE: The Board would play a direct role only in the event of a proposed amendment or new zoning bylaw.

1/14/04

Alix Driscoll, South Chatham

1. Advocates new bylaws and rezoning to protect coastal resources, in concert with implementation of Comprehensive Wastewater and Nutrient Management Study.

RESPONSE: Noted. This issue should be addressed through the comprehensive zoning re-write. The plan also supports prompt implementation of the CWNMS.

2. "Grandfathered" uses of undersized lots should not continue.

RESPONSE: Noted. This issue should be addressed through the comprehensive zoning re-write.

3. Use the rules formulated to regulate Pleasant Bay as a model for docks and piers.

RESPONSE: The intent of the plan is that a methodology similar to the one used for the Pleasant Bay management plan be used to evaluate the suitability of shoreline areas for additional docks and to develop standards and criteria for docks in any suitable areas.

4. Examine potential to extend ACEC protection to South Coastal waters.

RESPONSE: Noted.

5. Supports immediate work toward No Discharge Area designation; review of oil spill contingency plan; and intergovernmental discussions regarding South Beach and Monomoy.

RESPONSE: Noted.

6. Building restrictions should be tightened around Nantucket Sound, particularly to prevent expansion of non-conforming structures. Use of variances and permits to allow additions to non-conforming lots and development of lots under 20,000 sf should not be continued.

RESPONSE: Noted. This issue should be addressed through the comprehensive zoning re-write.

7. Recommends that the plan call for the study and eventual dismantling of jetties from Harwich line to Mill Creek entrance, including large concrete wall at Ross (formerly Wordell) property.
RESPONSE: The plan recommends that the jetties be evaluated to determine their current effectiveness in shoreline stabilization and their role in eroding down drift beaches, and that this evaluation be undertaken in cooperation with property owners and the Town of Harwich. A recommendation for removal or redesign prior to such an evaluation would be premature.
8. Supports new rules for licensing catwalks and erosion control structures
RESPONSE: Noted.
9. Carefully consider whether Pleasant Street and/or Forest Street beaches should become official beaches. Do not pave additional areas.
RESPONSE: Noted.
10. Do not expand parking at current official town beaches.
RESPONSE: Noted.
11. Supports buoys marking swimming and mooring areas at Forest Beach.
RESPONSE: Noted.
12. The addition of Mutt Mitt dispensers is a good idea.
RESPONSE: Noted.
13. Supports no expansion of food sales at beaches.
RESPONSE: Noted.
14. A plan is needed to address nitrogen laden plume traveling under Cockle Cove/Bucks Creek toward coast.
RESPONSE: This issue is addressed through the Comprehensive Wastewater and Nutrient Management Study.

11/27/03

George Olmsted

Encourages an implementation structure similar to the one used by the Pleasant Bay Alliance, as a means of engendering more citizens volunteers.

RESPONSE: Noted.